

Ser. No. 10/734,461

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PEMBERTON, ET AL.

Serial No.:

10/734,461

Filed:

12/12/2003

Title:

METHOD AND DEVICE FOR PREVENTING PETS FROM CLAWING

HOME FURNISHINGS

Examiner:

Mark A. Osele

Art Unit:

1734

Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

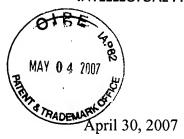
The undersigned hereby certifies that the following documents:

- Appeal Brief Content Pursuant to 37 CFR 41.37(c)(1); 1)
- 2) Claims Appendix;
- Evidence Appendix; 3)
- Related Proceedings Appendix; 4)
- Transmittal letter (in duplicate); 5)
- Certificate of Mailing by First Class Mail; and 6)
- A postcard receipt. 7)

relating to the above application, were deposited as first class mail with the United States Postal Service, addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 1, 2007.

Mailer

Schultz & Associates, P.C. INTELLECTUAL PROPERTY ATTORNEYS



Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U. S. Patent Application Serial No. 10/734,461

"Method and Device For Preventing Pets From Clawing Home Furnishings"

Atty. Docket: 31960.0104

Sir:

Enclosed for filing are the following documents:

- 1) Appeal Brief Content Pursuant to 37 CFR 41.37(c)(1);
- 2) Claims Appendix;
- 3) Evidence Appendix;
- 4) Related Proceedings Appendix;
- 5) Transmittal letter (in duplicate);
- 6) Certificate of Mailing by First Class Mail; and
- 7) A postcard receipt.

The Commissioner is hereby authorized to charge any underpayment of fees, or credit any overpayment, to Deposit Account No. 50-2225.

Very truly yours,

George "Russ" Schultz

GRS:slc Enclosures Attorney Docket: 31960.0104

MAY 0 4 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PEMBERTON, ET AL.

Serial No.: 10/734,461

Filed: 12/12/2003

For: METHOD AND DEVICE FOR PREVENTING PETS FROM

CLAWING HOME FURNISHINGS

Examiner: Mark A. Osele

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Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF CONTENT PURSUANT TO 37 CFR 41.37(c)(1)

An Appeal Brief was timely filed on March 14, 2006 for the above mentioned application. Appellants respectfully submit the Claims Appendix, an Evidence Appendix, and a Related Proceedings Appendix pursuant to 37 C.F.R 41.37(c)(1).

Appellants believe no fees are due; however, the Commissioner is hereby authorized to charge any additional fee that may be due in connection with this Appeal Brief or to credit any overpayment to Deposit Account No. 50-2225.

Dated: April 30, 2007

Respectfully submitted

George R. Schultz Reg. No. 35,674

SCHULTZ & ASSOCIATES, P.C. One Lincoln Centre 5400 LBJ Freeway Suite 1200 Dallas, Texas 75240 (214) 210-5940 telephone (214) 210-5941 facsimile



CLAIMS APPENDIX

1. A device for deterring pets from scratching fabric of home furnishings comprising:
a continuous, unperforated and generally planar transfer sheet;

a plurality of continuous unperforated rectangular strips, each of the strips having a length substantially greater than its width, the strips being arranged side-by-side on the transfer sheet, each of the strips having first and second adhesive surfaces on opposite sides, each of the strips being releasably adhered to the transfer sheet on the first adhesive surface;

a plurality of continuous unperforated release layers, each of the release layers being completely bisected along an axis parallel to the length of the strip and each of the release layers having a length substantially the same as the length of each of the strips, each of the release layers releasably adhered on the second adhesive surface of the strips;

wherein the strips are adapted to be removed from the transfer sheet and releasably adhered to the home furnishing on the first adhesive surface, and the release layers are adapted to be removed from the second adhesive surface revealing the second adhesive surface; and

wherein the first and second adhesive surfaces are formulated from an adhesive of sufficient tack strength to cause a releasable sticking sensation.

2. The device of claim 1 wherein said strips are uniformly spaced apart from one another by gaps on the transfer sheet that are parallel to the length of the strips and are of a width that is equal to a substantial fraction of the width of the strips to provide an indication of

an edge of the plurality of strips and the bisection of the plurality of strips to facilitate manual removal of the strips from the transfer sheet.

- 3. The device of claim 1 wherein the strips are separated by a side margin indicator means for preventing confusion between a bisection cut in each release layer and a side margin of the strips that has a width that is a significant fraction of the width of the strips.
- 42. A device for deterring pets from contacting soil comprising:

a substantially rigid corrugated substrate;

a strip having a first adhesive surface and a second adhesive surface, the strip releasably adhered to the corrugated substrate on the first adhesive surface; and, a release layer adhered on the second adhesive surface.

- 43. The device of claim 42 wherein the substrate is plastic.
- 44. The device of claim 42 wherein the substrate is colored to match soil.
- 45. The device of claim 42 wherein the release layer further comprises two separately removable portions wherein a first removable portion and a second removable portion abut but do not overlap a central longitudinal axis of the strip.
- 47. The device of claim 45 wherein a plurality of strips are placed side by side on the corrugated substrate separated by a gap having a width which is a substantial fraction of the width of the strips.



EVIDENCE APPENDIX

Evidence submitted pursuant to 37 CFR §1.130, 1.131, 1.132 relied upon by appellant in this appeal:

Declaration of Bonnie Pemberton, inventor – attached

Declaration of Chris Ruben, a sales executive familiar with the products incorporating the invention – attached

Supplemental Declaration of Bonnie Pemberton, inventor - attached

The Declarations of Bonnie Pemberton and Chris Ruben were submitted September 6, 2006 in an Amendment and Response to an Office Action of March 6, 2006. The Declarations were considered by the Examiner in an Office Action mailed September 25, 2006. The Supplemental Declaration of Bonnie Pemberton was submitted March 16, 2007 and has yet to be considered by the Examiner.

Evidence relied upon by the Examiner in rejecting the claims:

U.S. Patent No. 2,744,624 to Hoogstoel et al. - attached

Italian Patent No. 590156 to Avery Adhesive Label Corp. - attached

U.S. Patent No. 2,096,389 to *Bode* – attached

U.S. Patent No. 4,348,440 to Kriozere – attached

U.S. Patent No. 5,168,831 to Ittershagen et al. - attached

Avery Index Maker Packaging to Avery Dennison – attached

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 10/734,461

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For: "Method and Device for Preventing Pets from Clawing Home

Furnishings"

Examiner: Mark A. Osele

Art Unit: 1734

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF BONNIE PEMBERTON

- 1. My name is Bonnie Pemberton. I am the inventor of the invention disclosed in the above-noted application. I am over 21 years of age, of sound mind and willing and able to make the following Declaration.
- 2. I am a college graduate, having graduated from Texas Wesleyan University with a degree in business. While I have sold pet products for many years, I am not an expert in the field of plastics, adhesives or adhesive tapes. Moreover, I am not an expert in the field of packaging. I consider myself one of ordinary skill in the art when it comes to the subject matter of the invention disclosed in the application.
- 3. I have used the invention described in the application as the basis for my business, Fe-Lines, Inc. Fe-Lines, Inc. is a Texas corporation in good standing and has been in business since about 1981.
- 4. Fe-Lines, Inc. is in the business of selling pet products to distributors and the public. The pet products include many items, but specifically include the invention of the application. The company sells several embodiments of the invention including a "flat" version and a "corrugated" version. The "flat" version incorporates the elements of claim 1 of the patent application among others. The "corrugated" version incorporates the elements of claim 42 of the patent application among others. A copy of a picture of the "flat" version is attached to this Declaration as Exhibit A. A copy of a picture of the "corrugated" version of the invention is

attached as Exhibit B.

- 5. The invention has been a huge commercial success.
- 6. For example, Fe-Lines, Inc. began selling the claimed invention in 1996. At the outset, our sales figures began to climb rapidly from \$26,000 in 1996, to \$1 Million in 2005. This equates to a jump in sales of about 3,250 units per year to just over 203,000 per year. Since its inception, the company has sold over 1,500,000 packages of products incorporating the claimed invention.
- 7. I estimate the size of the market for those particular products to be about \$1,500,000.00 per year. Our percentage of that market or market share I estimate to be approximately 70-80%.
- 8. Over the years, our market share has grown. With the appearance of similar products, our market share has grown from 0% to almost 80% in less than 10 years.
- 9. The only prior art that is directly related to my invention that I am aware of is double sided tape offered by 3-M Company. The tape has a different construction. The tape includes a long coiled strip with a "non-sticky" layer on one side. It is very difficult to apply because it comes off the roll with a sticky side and is difficult to handle. It doubles back on itself and the adhesive side tends to come in contact with itself, snarling the application of the product. The advantages of the invention among others prevent this problem by providing bisected release layers which allow the product to be positioned with two non-sticky surfaces before the base layer and release layer are removed. The "two-part" release layer is also helpful in applying the product and is a huge advantage over the prior art.
- 10. In regards to the "flat embodiment", I have received praise from customers regarding the claimed features of the invention. Specifically, customers have expressed the advantage the combination of the transfer sheet, the strip and "two-part"/bisected release layers has in the ease of application of the invention to furniture and the like. Customers have also expressed adoration regarding the gap between the strips has in aiding in the removal of the strips from the transfer sheet. Additionally customers have disclosed their satisfaction regarding the adhesive's tack strength to easily cause an unpleasant sticking sensation. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success.
- 11. In regards to the "corrugated embodiment" I have received acclaim from consumers regarding some of its features which include a strip (control sheet) with one surface being releasable adhered to a corrugated substrate and the other surface being adhered to a release layer. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success.
- 12. Before my company launched a product embodying the elements of the claimed invention, it was relatively inexperienced in the market, and, because of the features of the invention has achieved a large market share.

- 13. The products sold by Fe-Lines, which incorporate the claimed invention have been the subject of industry recognition and awards. At various trade shows, including the Editors Choice Award from Cat Fancy Magazine in 1997 and 2003 (Exhibit H), the "Excellent" review from CATsumer Report in 1999, a formal "endorsement" from CATNIP! Newsletter in 1999 (Exhibit I), as well as a two-year "Seal of Approval" from the ASPCA in 2000 (Exhibit J). These awards specifically refer to the "Sticky Paws for Plants" and the "Sticky Paws for Furniture". The "Sticky Paws for Plants" is the "corrugated embodiment" of the invention covered by claim 42. The "Sticky Paws for Furniture" is the "flat embodiment" of the invention covered by claim 1.
- 14. I believe that the relatively quick rise in market share and sales is because of the elements of the claimed invention. For example, the company only spends a small fraction of its income on advertising.
- 15. Moreover, as the Patent Office can see, by looking at the product, we do not spend an inordinate amount of money on product presentation or packaging. I believe that the reason that customers buy the product is because of the advantages that the invention provides.
- 16. The Patent Office can see that both Exhibit A and Exhibit B (which are my company's products) are covered by and include the elements of claims 1 and 42, respectively.
- 17. There is also evidence of exact copying of the invention.
- 18. Attached to this Declaration is a copy of a photograph of a first competitor's product, which virtually identically copies one of the embodiments of the invention. See, Exhibit D. The dimensions of the product are similar. The substrate, the control layer and the bisected release layer are identical. The adhesive in the first competitor's product has been tested and determined to be nontoxic as claimed in my application for my invention. A copy of the test results showing the similarity in adhesive is shown in Exhibit K. This competitor is a larger better-established company than mine and has a large distribution network in place. Although I am unaware of the exact date that this competitor's product went into public use, I became aware of it well after I invented and began selling the devices as shown in Exhibits A & B and claimed in Patent Application Number 10/734,461.
- 19. There is additional evidence of copying because the label and instructions supplied with the competitive product are almost identical. For example, a copy of the instructions supplied to the customer by my company with the inner package of the product is attached as Exhibit C. Exhibit E is a photocopy of the first competitor's instructions.
- 20. Attached to this Declaration is an internet web page printout showing a second competitor's product, which also virtually copies the flat embodiment of my invention. In this instance the dimensions of the product are similar and the substrate, control sheet and bisected release layers are identical to my invention. See, Exhibit F.
- 21. The second competitor closely copied the instructions of the Fe-Lines product. A copy of the instructions from this competitor's product is attached as Exhibit G. The second competitor also used packaging very similar to that used for the Fe-Lines product. See, Exhibits F, G.
- 22. The products incorporating the claimed invention have been recommended in award-

winning books, including:

Complete Kitten Care, by Amy D. Shojal, a nationally known authority on pet care and behavior, a spokesperson for Purince, and an award-winning author of more than a dozen nonfiction pet books.

· Kittens for Dunamies, by Dusty Rainbolt, a nationally known sumority on cat care and behavior, and an award-winning author and a regular contributor to the Whole Cat

Journal and City + Country Pets.

. The Cat Fanciers' Association Complete Cat Book, by Mordecai Siegel, a palionally

known, highly-regarded and widely published authority on pet care.

- . Think Like A Cat. by Pam Johnson-Bunnett, a Certified Animal Bohavior Consultant and clinical member of the International Association of Animal Behavior Consultants. She is the author of a cumber of award-winning and critically socialmed books and one of the country's most well-known and popular experts on cat behavior.
- A copy of the entire packaging and display of the infringing device attached as Exhibit D ie attached as Exhibit L.

I declare under penalty of perjury that the foregoing is true and correct,



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PEMBERTON ET AL.

Serial No.: 10/734,461

Filed: 12/12/2003

For: "Method and Device for Preventing Pets from Clawing Home

Furnishings"

Examiner: Mark A. Osele

Art Unit: 1734

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF CHRIS RUBEN

- 1. My name is Chris Ruben. I am over 21 years of age, of sound mind and willing and able to make the following Declaration.
- 2. I am the president and chief executive officer of CMR Creative Marketing Resources, Inc., a Texas corporation in good standing. The company is in the business of marketing pet products to distributors and consumers throughout the United States and abroad. Over a period of 8 years, my company has been involved in marketing products for Fe-Lines, Inc., including the invention of the application noted above.
- 3. While I have sold pet products for many years, I am not an expert in the filed of plastics, adhesives or adhesive tapes. Moreover, I am not an expert in the field of packaging. I consider myself one of ordinary skill in the art when it comes to the subject matter of the invention disclosed in the application.
- 4. The product has been immensely successful in the marketplace. It has grown from a market share of approximately zero in 1996 to a zenith to control a market share of approximately 80% of this product in the United States.
- 5. I have attended domestic and international trade shows at which the product of Fe-Lines incorporating the elements of the invention has been displayed. I have witnessed the presentation of the competing products in these same trade shows indicating that the product of the invention incorporating the elements of the invention and the competitor's products move in

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the same channels of trade. Moreover, at least one of Fe-Lines' customers of the product incorporating the elements of the invention has purchased one of the competing products providing further evidence of the same customers and channels of trade.

- 6. Before competitors began copying the product, there was no product that incorporated the advantages of the claimed invention on the marketplace. Specifically, those claimed advantages include among others a bisected release layer, and other features such as a transfer sheet, a control sheet adjacent to the transfer sheet, a bisected release layer adjacent to the control sheet, and wherein the first release sheet and the second release sheet abut but do not overlap. The abutment provides the ability to peel one layer from the transfer sheet and apply it while leaving a non-sticky surface to help in handling. Moreover, the product is useful around "corners" of furniture where an unbisected release layer would not function at all.
- 7. Advantages contained within the corrugated embodiment of the product that are important to the success of the product includes a strip (control sheet) with one surface being releasable adhered to a corrugated substrate and the other surface being adhered to a release layer. Customers have expressed to me they have purchased and continue to use and be pleased with the invention disclosed in the corrugated embodiment because of the combination of the rigid corrugated substrate with a releasable adhere strip and the release layer.
- 8. In my experience, customers are extremely satisfied and pleased with the claimed features and function of the invention. For example, at trade shows, I have been directly approached by customers who have directly stated the combination of the transfer sheet, the strip and "two-part"/bisected release layers aids in the application of the invention to furniture and the like. Customers have also expressed satisfaction regarding the gap between the strips on the transfer sheet. Additionally customers have told me that they are pleased in the adhesive's ability to deter their pets' behavior because it causes an unpleasant sticking sensation when touched.
- 9. Additionally, large-scale buyers of the product have commented that products incorporating the elements of the invention sell well because of its claimed features, including, but not limited to the bisected release layer, the combination of the transfer sheet, the strip and "two-part"/bisected release layer and the adhesives' ability to cause an unpleasant sticking sensation.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 09 06 06

Chris Ruben



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PEMBERTON ET AL.

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10/734,461

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Furnishings"

Examiner:

Mark A. Osele

Art Unit:

1734

MAIL STOP AMENDMENT **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION OF BONNIE PEMBERTON

- My name is Bonnie Pemberton and I make this declaration in support of the above noted United States Patent Application. I am over 21 years of age, of sound mind and willing and able to make the following Declaration and all facts recited are with my personal knowledge.
- I have reviewed the Office Action of September 25, 2006. The examiner takes the 2. position that my invention was a replacement of the prior art double sided tape offered by the 3M Company, and further implies my invention was merely a repackaging and remarketing of the 3M product. This is not correct. The 3M tape did not have the bisected release layer of my invention. Furthermore, the 3M tape was not completely bisected along an axis parallel to its length. The 3M tape was not provided with a base release sheet and a top release sheet. Also, the 3M tape was rolled and not provided flat or in strips as required by my invention. Therefore my invention was not a repackaging of the prior art but rather is substantially different from and a substantial improvement over the prior art 3M tape.
- The examiner questions whether the market of the stated market share growth includes all 3. double-sided adhesive tapes, including the rolled adhesive tape of 3M or only the double sided adhesive tapes marketed at cat owners for scratch prevention. The examiner implies that an important factor determining market success attributable to product improvements would be whether the double sided adhesive tape roll of 3M tape was sold in pet stores prior to 1996 and questions whether it was ever placed in a way to attract cat owners for its specific use as a cat deterrent. Presumably the examiner means that if the 3M double sided tape was not ever

marketed in a way to attract cat owners for its specific use as a cat deterrent, then the increase in sales of my invention is a result of marketing, packaging, and perhaps advertising instead of because of the features of my invention. But, there is no evidence of this position, it is merely speculation. There is evidence that double sided tape was known to cat owners--in fact the Examiner provided two separate articles in 1998 showing the uses of double sided tape. See, "Claws and All: Living With Your Cat, Your Furniture and Your Piece of Mind", HSUS News, p. 1-4 WWW.HSUS.ORG/CLAWS.HTML, 1996 and "Basic Training for Your Cat"; Perfect Paws, P. 1-2 WWW.PERFECTPAWS.COM/TRAM.HTML,1995 (cited by the Examiner Sept. 28, 1998). It is manifestly unfair to discount the drastic increase in sales of my invention because of speculation that a single 3M product was or was not marketed in a particular way. In the market of double sided adhesive tapes for pet scratch prevention, Fe-Lines, Inc.'s share of the market has grown from 0% to almost 80% in less than 10 years despite the company spending only a small fraction of its income on advertising. Fe-Lines, Inc.'s market share has grown even with the subsequent emergence of products similar in presentation and functionality to the claimed invention. I believe the relatively quick rise in market share is because of the elements of the claimed invention as opposed to the packaging, the elements of the claimed invention being a bisected release layer adjacent to a strip having adhesive surfaces on opposite sides adjacent to a planar transfer sheet. Also, there is evidence from the Declaration of Chris Ruben in the record that many customers have bought my invention because of these features. I have never had a customer tell me in all the years I have sold the product that they bought it because of the package or the way that we advertised it.

4. The examiner suggests that the ASPCA Seal of Approval was given in exchange for payment to the ASPCA. But this is not correct. The ASPCA scrutinizes pet related products to ensure claimed functionality and the safety of pets. Products submitted for the Seal of Approval are reviewed by a panel of ASPCA experts comprised of veterinarians, veterinary toxicologists, animal behaviorists, and animal science specialists nationally renowned in their scientific fields. The ASPCA award is only given after a product passes all tests for quality and safety. Therefore the "Seal of Approval" awarded by the ASPCA in 2000 is not a "quid pro quo" for payment. It is a bona fide and deserved award for my product incorporating my invention.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 3/12/07

Bonnie Pemberton

16/162

REPUBBLICA ITALIANA

MÍNISTERO DELL'INDUSTRIA E DEL COMMERCIO

UFFICIO CENTRALE DEI BREVETTI

per Invenzioni Modelli e Marchi

BREVETTO PER INVENZIONE INDUSTRIALE 590156

— classe

C 09 j

DIV.

Avery Adhesive Label Corp. a Monrovia, California (Stati Uniti d'America)

Data di deposito: 9 maggio 1958 Data di concessione: 25 marzo 1959

Priorità: Stati Uniti d'America, domanda di brevetto n. 692408, del 25 ottobre 1957

Perfezionamento nella struttura delle linguette adesive predisposte a nastro, e relativo metodo di fabbricazione

La presente invenzione si riferisce ad una struttura di linguetta adesiva ed in modo più particolare ad una struttura di linguetta adesiva in cui la linguetta adesiva è coperta da materiale di rinforzo protettivo su entrambi i suoi lati, e che può essere prontamente erogata ed impiegata.

Più particolarmente, la presente inven-10 zione si riferisce ad una linguetta dotata di adesivo sensibile alla pressione su entrambi i suoi lati e che può essere impiegata per tenere oggetti in disposizione di montaggio, come ad esempio per il 15 montaggio di fotografie entro album, per il montaggio di cartelli su pareti o per qualsiasi altro scopo analogo. Inoltre, la presente invenzione si riferisce ad un modo in cui si possono produrre tali linguet-20 te, in modo tale che esse possano essere facilmente conservate e protette prima dell'impiego che esse possano essere facilmente erogate quando necessario, e che possano essere facilmente applicate alle 25 superfici cui esse sono destinate.

Costituisce uno scopo principale della presente invenzione quello di provvedere una striscia di linguette disposte in prosecuzione, estremo contro estremo, ciascuna delle quali ha un rivestimento di

adesivo sensibile alla pressione su ciascun suo lato, una striscia continua di materiale di rinforzo coprendo un lato delle linguette, mentre una pluralità di strisce di materiale di rinforzo copre gli 35 altri lati delle linguette anzidette, cosicchè ciascuna delle strisce ultime citate copre completamente una linguetta singola e ne sporge verso l'esterno.

Costituisce un ulteriore scopo quello di 40 provvedere un metodo originale per costituire un elemento laminare composito quale è stato indicato nello scopo precedentemente enunciato.

Altri scopi ed altri vantaggi della pre- 45 sente invenzione risulteranno chiari dallo svolgimento della presente descrizione particolareggiata.

Nei disegni, che fanno parte della presente domanda, e nei quali le stesse par- 50 ti sono contraddistinti, in tutte le figure, dagli stessi numeri di rifornimento.

La figura 1 illustra l'impiego di una striscia composita lamellare quale costituita secondo la presente invenzione, me- 55 diante un dispositivo erogatore:

La figura 2 è una vista prospettica degli elementi a foglio lamellari, con alcune parti asportate e con uno spessore dei fogli esagerato, che illustra il modo in cui 60 viene prodotto l'oggetto lamellare;

Le figure 3 e 4 sono viste in elevazione, rispettivamente laterale e di estremità della striscia completa, lo spessore dei vari strati che fanno parte dell'oggetto essendo stato esagerato;

Le figure 5 e 6 sono viste dall'alto e dal basso di una parte a disposizione di sviluppo longitudinale dei fogli lamella10 ri, con alcune parti asportate destinate ad illustrare il modo con cui i tagli predisposti sono effetuati attraverso i fogli.

Nella fabbricazione dell'oggetto secondo la presente invenzione, un foglio di mate-15 riale di rinforzo 10, un foglio di materiale 11 destinato a costituire le linguette, ed un foglio di materiale di rinforzo 12 sono alimentati, ciascuno in forma di nastro continuo, ad una macchina di ap-20 plicazione di rivestimento che riveste i fogli di rinforzo 10 e 12 con rivestimenti, rispettivamente 13 e 14 di distacco, e che riveste il materiale costitutivo delle linguette con rivestimenti adesivi sensi-25 bili alla pressione 15 e 16 su ciascun suo lato. I tre fogli continui 10, 11 e 12 vengono poi portati sotto un rullo di pressione in disposizione sovrapposta in modo da formare un foglio composito continuo 30 a tre strati.

Il termine « materiale di rinforzo » quale è impiegato nella tecnica, comprende le sostanze come la carta detta « glassine » od altro simile materiale, che sia flessi-35 bile e che abbia una superficie relativamente dura. Il termine « rivestimento di distacco», quale viene impiegato nella tecnica, si riferisce ai rivestimenti sensibili a pressione, adesivi, atti ad aderire ad un materiale di rinforzo, ma che hanno una bassa affinità per i rivestimenti adesivi sensibili a pressione 15 e 16 del foglio di materiale 11 per le linguette. Il materiale delle linguette può essere 45 costituito da carta relativamente morbida, oppure dal materiale di rinforzo che si è descritto precedentemente, a seconda di come si desideri.

Il foglio composito, formato in tal mo50 do, viene poi portato sotto un rullo di
taglio a matrici, in modo tale che alcune delle matrici che lavorano contro la
superficie relativamente dura del foglio
di rinforzo 10 effettuano un intaglio at55 traverso il foglio di rinforzo 12 ed il foglio del materiale delle linguette 11 lungo la pluralità di linee di taglio parallele 17 disposte longitudinalmente rispetto
al foglio composito, senza effettuare una
60 incisione sul foglio di rinforzo 10.

Il foglio composito viene poi portato attraverso un altro dispositivo a rulli di taglio a matriceche effettua i tagli attraverso il foglio di rinforzo 10 ed il materiale per le linguette 11, lungo le linee di taglio parallele distanziate 18, disposte trasversalmente rispetto al foglio composito, senza effettuare incisioni sul foglio di rinforzo 12.

In conseguenza di queste due operazioni 70 di taglio, il foglio di rinforzo 10 viene ad essere costituito da una pluralità di strisce 10a aventi andamento trasversale, mentre il foglio di rinforzo 12 risulta costituito da una pluralità di strisce a di- 75 sposizione longitudinale, 12a e 12b, alternate larghe e strette, come si può rilevare nelle figure 5 e 6. Il materiale delle linguette 11 viene diviso in una pluralità di rettangoli 11a aventi una lun- 80 ghezza eguale alla larghezza delle strisce di rinforzo 10a, ed aventi una laghezza eguale alla larghezza delle strisce di rinforzo 12a. Il materiale delle linguette viene inoltre anche tagliato in rettangoli a 85 simile lunghezza 11b, che hanno una larghezza eguale alla larghezza delle strisce di rinforzo 12b.

Le strisce strette 11b e 12b del materiale delle linguette 11, e del foglio di 90 rinforzo 12 vengono poi strappate dal foglio di rinforzo 10 è buttato via, lasciando le altre strisce di rinforzo longitudinali continue 12a distanziate l'una dell'altra e sovrapposte sulla serie di rettangoli di 95 materiale delle linguette 11a, entrambo tali parti essendo sovrapposte sulle strisce di rinforzo 10a aventi disposizione trasversale, come è illustrato nella figura 2. Il foglio di rinforzo 10 viene poi taglia- 100 to lungo le linee di taglio 19 disposte longitudinalmente rispetto al foglio e tra le strisce di rinforzo 12a, in modo da formare il prodotto 20 a striscia completo. Come si può rilevare nelle figure 3 e 105 4, la striscia completata 20 ha i rettangoli delle linguette 11a completamente coperti sui loro lati superiori dalla striscia continua di rinforzo 12a, mentre gli altri lati degli elementi a linguetta sono 110 coperti dalle strisce di rinforzo 10a, ciascuna delle strisce di rinforzo 10a coprendo completamente una linguetta singola 11a e sporgendo oltre i suoi bordi laterali.

Il metodo generale di sovrapporre strisce di rinforzo rivestite e di tagliare a stampo tali strisce in modo tale che una delle strisce venga tagliata senza produrre una impressione sull'altra striscia è di tipo convenzionale, e tale metodo è simi-

le a quello noto dal precedente brevetto statunitense della stessa Richiedente numero 2.304.787. La caratteristica originale della presente invenzione è costituita dal modo in cui si effettuano i particolari tagli a stampo per ottenere il prodotto finito.

Per l'impiego dell'oggetto secondo l'invenzione, la striscia composita lamella-10 re 20, costruita come si è detto precedentemente, viene posta in forma avvolta a rotolo su un appropriato erogatore 21 con la striscia di rinforzo continua 12a che ne sporge e che è raddoppiata a spi-15 golo vivo verso l'impiego su se stessa in modo convenzionale. Quando la striscia di rinforzo 12a viene tirata dall'erogatore, le linguette 11a e le strisce di rinforzo 10a vengono separate dalla striscia di 20 rinforzo 12a ed espulse dall'erogatore, come è illustrato nella figura 1, con lo strato adesivo 16 esposto. La linguetta viene poi rovesciata ed applicata alla fotografia od oggetto analogo. La striscia di rin-25 forzo 10a che protegge l'altro lato della linguetta 10a ne sporge verso l'esterno in modo tale da poter essere presa ed asportata dalla linguetta così da rendere esposto l'altro strato adesivo 15 in guisa ta-30 le che la fotografia possa poi essere applicata ad una voluta superficie.

Per quanto i tagli a matrice trasversale 18 siano stati indicati come disposti perpendicolarmente rispetto ai tagli longitudinali 17, si deve intendere che si può prescegliere qualsiasi altro angolo tra i tagli, in modo da dare alle linguette 11a una forma a parallelogramma anziche una forma rettangolare come si è illustrata. Inoltre, i tagli 17 debbono però es-

sere non paralleli ai tagli 18.

Si deve intendere che la forma di realizzazione dell'invenzione che è stata descritta ed illustrata deve essere consideta, e che varie modifiche nella forma, nella dimensione e nella disposizione degli elementi potranno essere adottate senza allontanarsi dallo spirito dell'invenzione o dall'ambito delle rivendicazioni allegate.

RIVENDICAZIONI

55 1) Striscia allungata di materiale per linguette, caratterizzata dal fatto di essere dotata di rivestimenti adesivi sensibili alla pressione sulle due facce della striscia, di una prima striscia di rinfor-60 zo allungata continua che copre una del-

le facce della detta striscia di materiale da linguette, e di una seconda striscia di materiale di rinforzo e di sopporto allungata che copre l'altra faccia della detta striscia di materiale da linguette e 65 che sporge oltre un bordo laterale del detto materiale, la detta striscia di materiale da linguette e la detta seconda striscia di materiale di rinforzo r di sopporto essendo tagliate da un bordo all'altro 70 mediante tagli corrispondenti.

2) Striscia allungata di materiale da linguette, caratterizzata dal fatto di comprendere rivestimenti adesivi sensibili alla pressione su ciascuna sua faccia, una 75 prima striscia di rinforzo e di sopporto allungata che copre un lato della detta striscia di materiale da linguette, una seconda striscia di sopporto e di rinforzo allungata che copre l'altro lato della det-80 ta striscia di materiale da linguette, la detta seconda striscia di rinforzo e di sopporto essendo più larga della detta striscia di materiale da linguette, ed una pluralità di tagli distanziati da bordo a 85 bordo attraverso la detta seconda striscia di rinforzo e di sopporto e la detta striscia di materiale da linguette.

3) Oggetto secondo la rivendicazione 2, caratterizzato dal fatto che le dette pri- 90 ma e seconda striscia di rinforzo e di sopporto portano un rivestimento di distacco in contatto con il detto rivestimento adesivo.

4) Pluralità di linguette disposte in contatto di estremità, caratterizzate dal fatto che le dette linguette sono dotate di un rivestimento adesivo sensibile alla pressione su ciascuna delle loro facce, una striscia di rinforzo e di sopporto allungata continua coprendo una faccia delle dette linguette ed una pluralità di striscie di rinforzo e di sopporto coprendo le altre facce delle dette linguette, ciascuna delle dette strisce di rinforzo e di sopporto costituenti la detta pluralità, coprendo una delle linguette e sporgendo oltre uno dei suoi bordi.

5) Oggetto composito a strati, caratterizzato dal fatto di comprendere un primo foglio di rinforzo e di sopporto, un foglio di materiale da linguette ed un secondo foglio di materiale di rinforzo r di sopporto sovrapposti l'uno sull'altro, il detto foglio di materiale da linguette avendo un rivestimento di materiale adesivo sensibile alla pressione su ciascuna delle sue facce, i detti fogli sovrapposti avendo una prima serie di intagli a stampo paralleli attraverso il detto primo fo-

glio di rinforzo e di sopporto ed il detto foglio di materiale da linguette, ed i detti fogli sovrapposti avendo una seconda serie di intagli a stampo paralleli attraverso il detto secondo foglio di rinforzo e di sopporto ed il detto foglio di materiale da linguette, la detta seconda serie di tagli essendo non parallela alla detta prima serie di tagli.

6) Oggetto composito a strati, caratterizzato dal fatto di comprendere un foglio allungato di materiale di rinforzo e di sopporto, una pluralità di strisce di materiale da linguette sovrapposte sul det-15 to foglio di materiale di rinforzo e le dette strisce di materiale da linguette essendo disposte parallelamente e distanziate l'una dall'altra ed avendo andamento in senso longitudinale rispetto al det-20 to foglio di materiale di rinforzo e di sopporto, le dette striscie di materiale da linguette avendo un rivestimento di materiale sensibile alla pressione su entrambe le loro facce, ed una pluralità di stri-25 sce continue di materiale di rinforzo e di sopporto sovrapposte alle dette strisce di materiale da linguette, il detto foglio di materiale da rinforzo e di sopporto essendo tagliato da un suo fianco all'altro 30 ad intervalli distanziati lungo il suo sviluppo longitudinale, i detti tagli passando attraverso le dette strisce di materiale delle linguette sovrapposte.

7) Metodo per produrre un oggetto composito a strati che comprende il sovrapporre un primo foglio allungato di materiale di rinforzo e di sopporto, un secondo foglio allungato di materiale di costituzione delle linguette ed un terzo foglio allungato di materiale di rinforzo e di sopporto, l'uno sull'altro, il detto secondo foglio avendo un rivestimento di materiale sensibile alla pressione su ciascuna sua faccia, praticare dei tagli attraverso i detti primo e secondo foglio nel senso longitudinale dei fogli medesimi e ad intervalli paralleli distanziati, e

tagliare attraverso i detti secondo e terzo foglio da bordo a bordo dei fogli medesimi degli intagli ad intervalli paralleli distanziati.

8) Metodo per produrre un oggetto composito a strati, caratterizzato dal fatto che si sovrappongono un primo foglio allungato di materiale di rinforzo e di sopporto, un secondo foglio allungato di 55 materiale costitutivo per linguette, ed un terzo foglio allungato di materiale di rinforzo e di sopporto l'uno sull'altro, il detto secondo foglio avendo un rivestimento di materiale sensibile alla pressio- 60 ne su ciascuna sua faccia, praticare degli intagli attraverso i detti primo e secondo foglio in senso longitudinale dei detti fogli, e ad intervalli distanziati paralleli, praticare degli intagli attraverso 65 i detti secondo e terzo foglio da un fianco all'altro dei fogli medesimi ad intervalli distanziati, ed asportare strisce londitudinali alternate dei detti primo e secondo foglio dal detto terzo foglio.

9) Metodo per produrre un oggetto composito a strati, caratterizzato dal fatto che si sovrappongono un primo foglio allungato di materiale di rinforzo e di sopporto, un secondo foglio allungato di ma- 75 teriale costitutivo di linguette, ed un terzo foglio allungato di materiale di sopporto e di rinforzo l'uno sopra l'altro, il detto secondo foglio avendo un rivestimento di materiale sensibile alla pressione su 80 ciascuna delle sue facce, praticare degli intagli attraverso i detti primo e secondo foglio nel senso longitudinale dei detti fogli ad intervalli paralleli distanziati, praticare degli intagli attraverso i detti 85 secondo e terzo foglio da un bordo all'altro, ad intervalli distanziati, asportare strisce in senso longitudinale, alternate dei detti primo e secondo foglio dal detto terzo foglio, e tagliare il detto terzo 90 foglio nel suo senso longitudinale tra le strisce rimanenti dei detti primo e secondo foglio sovrapposti.

Allegato 1 foglio di disegni

Italian Patent Document No. 590156

IMPROVEMENT IN THE STRUCTURE OF ADHESIVE TABS IN TAPE FORM AND RELATIVE METHOD OF MANUFACTURING

[Perfezionamento nella struttura delle linguette adesive predisposte a nastro e relativo methodo di fabbricazione]

Avery Adhesive Label Corp., Monrovia, California (U.S.A.)

UNITED STATES PATENT AND TRADEMARK OFFICE Washington, D.C. August, 2002

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IMPROVEMENT IN THE STRUCTURE OF ADHESIVE TABS IN TAPE FORM AND RELATIVE METHOD OF MANUFACTURING

By Avery Adhesive Label Corp., Monrovia, California (U.S.A.)

The present invention refers to a structure of adhesive tab and, in particular, to a structure of adhesive tab in which the adhesive tab is covered by protective reinforcing material on both its sides and which can be quickly dispensed and used.

More particularly, the present invention refers to a tab endowed with pressure-sensitive adhesive on both its sides and that can be used to hold objects when mounting, as, for example, for mounting photographs in an album, for mounting signs on walls or for other similar purpose. Moreover, the present invention refers to a way in which such tabs can be produced, so that they can be easily kept and protected before using, can be easily dispensed when necessary, and can be easily applied to the surfaces to which they are destined.

A principle aim of the present invention is that of providing a strip of tabs arranged in succession, end-to-end, each of which

¹ Numbers in the margin indicate pagination in the foreign text.

has a coating of pressure-sensitive adhesive on each side, a continuous strip of reinforcing material covering one side of the tabs, while a plurality of reinforcing strips material cover the other sides of the aforesaid tabs, so that each of the latter strips mentioned completely covers a single tab and sticks out from it toward the outside.

A further aim is that of providing an original method for forming a composite laminar element, as indicated in the previously enunciated aim.

Other aims and other advantages of the present invention will become clear from the development of the present detailed description.

In the designs which make up the present request, and in which the same parts stand out, in all the figures, are found the same reference numbers.

Figure 1 illustrates the use of a laminar composite strip, as formed according to the present invention, by means of a dispenser.

Figure 2 is a prospective view of the laminar elements in sheet form, with some parts removed and with an exaggerated thickness of the sheets, which illustrates the way in which the laminar object is produced;

Figures 3 and 4 are overviews, respectively lateral and of the extremity of the complete strip, the thickness of the various layers which make up the object being exaggerated.

Figures 5 and 6 are views from above and from below of a part of the longitudinal development of the laminar sheets, with some parts removed to illustrate the way in which the prearranged cuts are made through the sheets.

In manufacturing the object according to the present invention, one sheet of reinforcing material (10), a sheet of material (11) destined to form the tabs, and a sheet of reinforcing material (12) are fed, each in continuous tape form, to a coating application machine which coats the reinforcing sheets (10 and 12) with separation coatings (13 and 14, respectively), and that coats the material forming the tabs with pressure-sensitive adhesive coatings (15 and 16) on each side. The three continuous sheets (10, 11, and 12) are then taken under a pressure roller arranged above in such a way as to form a continuous composite sheet with three layers.

The term "reinforcing material," as used in technology, includes substances such as "glassine" paper or other similar material which is flexible and has a relatively hard surface. The term "separation coating," as used in technology, refers to pressure-sensitive coatings, adhesives, apt to adhere to a

reinforcing material, but which have a low affinity for the pressure-sensitive adhesive coatings (15 and 16) of the sheet of material (11) for the tabs. The material of the tabs can be made of relatively soft paper or from the reinforcing material previously described, according to one's wish.

The composite sheet formed in this way is then brought under a matrix cutting roller, so that some of the matrices which work against the relatively hard surface of reinforcing sheet (10) make a incision through reinforcing material (12) and the sheet of tab material (11) along the plurality of parallel cut lines (17) arranged longitudinally with respect to the composite sheet, without making an incision in reinforcing sheet (10).

The composite sheet is then sent through another setup of matrix cutting rollers, which make cuts through reinforcing sheet (10) and the tab material (11), along the spaced parallel cut lines (18) arranged transversely with respect to the composite sheet, without making incisions on reinforcing sheet (12).

As a consequence of these two cutting operations, reinforcing sheet (10) will consist of a plurality of strips (10a) going transversely, while reinforcing sheet (12) will consist of a plurality of strips arranged longitudinally (12a and 12b), alternately broad and narrow, as can be observed in Figures 5 and 6. The tab material (11) is divided into a plurality of

rectangles (11a) having a length equal to the width of the reinforcing strips (10a) and having a width equal to the width of the reinforcing strips (12a). The tab material is, moreover, also cut into rectangles of similar length (11b), which have a width equal to the width of the reinforcing strips (12b).

The narrow strips (11b and 12b) of the tab material (11) and of reinforcing sheet (12) are then pulled from reinforcing sheet (10) and thrown away, leaving the other continuous longitudinal reinforcing strips (12a) spaced one from another and superimposed on the series of rectangles of tab material (11a), both such parts being superimposed on reinforcing strips (10a) arranged transversely, as illustrated in Figure 2. Reinforcing sheet (10) is then cut along cut lines (19) arranged longitudinally with respect to the sheet and between reinforcing strips (12a), so as to form completed strip product (20). As can be observed in Figures 3 and 4, completed strip (20) has rectangles of tabs (11a) completely covered on the upper sides by continuous reinforcing strip (12a), while the other sides of the tab elements are covered by reinforcing strips (10a), each of the reinforcing strip (10a) completely covering a single tab (11a) and sticking out over its lateral edges.

The general method of superimposing coated reinforcing strips and of stamp cutting such strips in such a way that one of the

strips is cut without producing an impression on the other strip is of conventional type, and such a method is similar to that known from the previous United States patent of the same Petitioner, number 2,304,787.

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The original character of the present invention is constituted by the way in which the particular stamped cuts are made to obtain the finished product.

To use the object according to the invention, the laminar composite strip (20), composed as said previously, is put in rolled-up form on an appropriate dispenser (21), with continuous reinforcing strip (12a) which sticks out and is doubled back on itself in conventional form. reinforcing strip (12a) is pulled from the dispenser, the tabs and the reinforcing strips (10a) are separated from reinforcing strip (12a) and expelled from the dispenser, as is illustrated in Figure 1, with the adhesive layer (16) exposed. The tab is then turned over and applied to the photograph or similar object. The reinforcing strip (10a) which protects the other side of tab (10a) sticks out from it toward the outside in such a way that it can be taken and removed from the tab, so as to expose the other adhesive layer (15), such that the photograph can then be applied to a desired surface.

In as much as transverse matrix cuts (18) have been indicated as arranged perpendicularly with respect to the longitudinal cuts (17), it should be understood that any other angle between the cuts may be preselected, so as to give the tabs (11a) a parallelogram rather than a rectangular form as is illustrated. However, cuts (17) should be nonparallel to cuts (18).

It should be understood that the form of making the invention that has been described and illustrated must be considered as the preferred form and that various modifications in the form, dimension, and arrangement of the elements can be adopted without getting away from the spirit of the invention or the range of attached claims.

CLAIMS

1) Elongated strip of material for tabs, characterized by the fact of being endowed with pressure-sensitive adhesive coatings on the two faces of the strip, of a first continuous, elongated reinforcing strip which covers one of the faces of the said strip of tab material, and a second strip of support and reinforcing material which covers the other face of the said strip of tab material and sticks out over a lateral edge of the said material, the said strip of tab material and the said second strip of support and reinforcing material being cut from one edge to the other by means of corresponding cuts.

- 2) Elongated strip of tab material, characterized by the fact of including pressure-sensitive adhesive coatings on each face, a first elongated support and reinforcing strip which covers one side of the said strip of tab material, a second elongated reinforcing and support strip which covers the other side of the said strip of tab material, the said second support and reinforcing strip being wider than the said strip of tab material, and a plurality of spaced cuts from edge to edge across the said second support and reinforcing strip and the said strip of tab material.
- 3) Object according to claim 2, characterized by the fact that the said first and second support and reinforcing strip bear a separation coating in contact with the said adhesive coating.
- 4) Plurality of tabs arranged in contact at the extremities, characterized by the fact that the said tabs are endowed with a pressure-sensitive adhesive coating on each of their faces, a continuous, elongated reinforcing and support strip covering one face of the said tabs and a plurality of support and reinforcing strips covering the other faces of the said tabs, each of the said support and reinforcing strips constituting the said plurality covering one of the tabs and sticking out over one of its edges.

5) Composite layered object, characterized by the fact of including a first support and reinforcing sheet, a sheet of tab material, and a second sheet of support and reinforcing material, superimposed one on the other, the said sheet of tab material having a coating of pressure-sensitive adhesive material on each of its faces,

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the said superimposed sheets having a first series of parallel stamped cuts across the said first support and reinforcing sheet and the said sheet of tab material, and the said superimposed sheets having a second series of parallel stamped incisions across the said second support and reinforcing sheet and the said sheet of tab material, the second series of cuts being nonparallel to the said first series of cuts.

6) Composite layered object, characterized by the fact of including an elongated sheet of support and reinforcing material, a plurality of strips of tab material superimposed on the said sheet of reinforcing material and the said strips of tab material being arranged parallel and spaced one from the other and going in a longitudinal direction with respect to the said sheet of support and reinforcing material, the said strips of tab material having a coating of pressure-sensitive material on both their faces, and a plurality of continuous strips of support and

reinforcing material superimposed on the said strips of tab material, the said sheet of support and reinforcing material being cut from one side to the other at spaced intervals along its longitudinal development, the said cuts passing across the said strips of superimposed tab material.

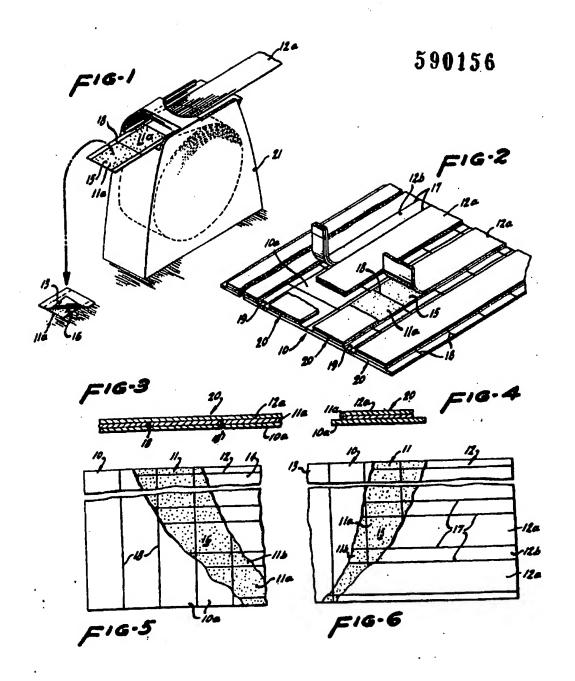
- 7) Method to produce a layered composite object which includes superimposing a first elongated sheet of support and reinforcing material, a second elongated sheet of the material constituting the tabs and a third elongated sheet of support and reinforcing material, one on the other, the said second sheet having a coating of pressure-sensitive material on each face; to make cuts across the said first and second sheet in the longitudinal direction of the same sheets and at spaced parallel intervals; and to cut incisions across the said second and third sheet from edge to edge of the same sheets at spaced parallel intervals.
- 8) Method to produce a layered composite object, characterized by the fact of superimposing a first elongated sheet of support and reinforcing material, a second elongated sheet of material constituted by tabs, and a third elongated sheet of support and reinforcing material, the one on the other, the said second sheet having a coating of pressure-sensitive material on each face; to make incisions across the said first

and second sheet in the longitudinal direction of the said sheets and at parallel spaced intervals; to make incisions across the said second and third sheet from one side to the other of the same sheets at spaced intervals; and to remove alternate longitudinal strips of the said first and second sheet from the said third sheet.

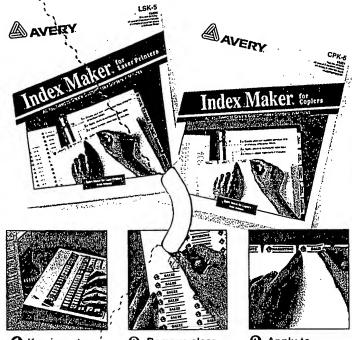
A method to produce a layered composite object, 9) characterized by the fact of superimposing a first elongated sheet of support and reinforcing material, a second elongated sheet of material constituted by tabs, and a third elongated sheet of reinforcing and support material, one over the other, the said second sheet having a coating of pressure-sensitive material on each of its faces; to make incisions across the said first and second sheet in the longitudinal direction of the said sheets at spaced parallel intervals; to make cuts across the said second and third sheets from one edge to the other at spaced strips in а longitudinal direction, remove intervals; to alternates of the said first and second sheet from the said third sheet; and to cut the said third sheet in its longitudinal direction between the remaining strips of the said superimposed first and second sheet.

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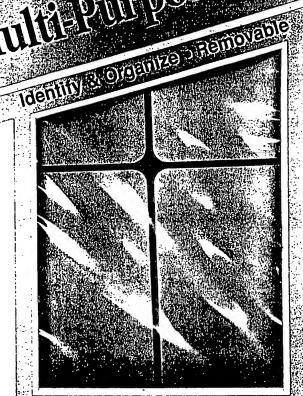


05440 S2448 160 Labels White

Mulua Purpose Labels

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31960.0104 PATENT

RELATED PROCEEDINGS APPENDIX

None.